## EXHIBIT 4

## Case 1:19-cv-02297-JEB Document 1-8 Filed 07/31/19 Page 2 of 4

## Lisa N. Himes

From:

CG6EXECSEC <CG6EXECSEC@uscg.mil>

Sent:

Wednesday, October 3, 2018 3:22 PM

To: Cc: Lisa N. Himes HQS-SMB-FOIA

Subject:

Your Freedom of Information Act (FOIA)/Privacy Act (PA) 2018-CGFO-01591

Attachments:

DOC SF-1 600-310 signed 1591.pdf

Good day Ma'am,

Please find attached the response letter from the Coast Guard for this request.

Thank you,

Paul

Paul D. Limbacher CG-6 ExecSec CG6EXECSEC@uscg.mil SIPR: Paul.d.limbacher.civ@mail.smil.mil COMDT CG-6ES (202) 475-3460 U.S. Department of Homeland Security
United States
Coast Guard

Commandant United States Coast Guard 2703 Martin Luther King Ave, S.E. Washington, DC 20593-7710 Staff Symbol: CG-6ES Phone: (202) 475-3460 CG6EXECSEC@uscg.mil

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Ms. Lisa N. Himes Rogers Joseph O'Donnell 875 5<sup>th</sup> Street NW Suite 725 Washington DC 20005

Dear Ms. Himes:

This letter is the final response to your April 17<sup>th</sup>, 2018 Freedom of Information Act (FOIA) request addressed to the U.S. Coast Guard (USCG). You requested copies of:

- 1. All documents from the period of January 1, 2010 through December 31, 2010 that refer to Blixseth, Piano Bar, or Yellowstone Aviation & Marine
- 2. All emails from any and all of former U.S. Commandant Robert J. Papp, Jr's email accounts from the period of May 25, 2010 through December 31 2010, referencing Piano Bar, Yellowstone, Yellowstone Aviation & Marine and Blixseth.

Your request was received in this office on August 21st, 2018.

This is not a Denial. We conducted a comprehensive search of files and/or servers within the offices of the Coast Guard CIO, the Coast Guard Cyber Command, the Coast Guard Historian, U.S. Coast Guard Headquarters and the Office of the Commandant for records that would be responsive to your request. Unfortunately, we were unable to locate or identify any responsive records. For emails, searchers included Mr. Paul Limbacher, who directed the searches in those offices using the keywords Blixseth, Piano Bar and Yellowstone if applicable. No searchable records were located. For documents, in accordance with the Coast Guard Information and Life Cycle Management Manual, Commandant Instruction M5212.12A, general Coast Guard correspondence and general records are required to be disposed of three years after creation, therefore, records from the 2010 timeframe would have been destroyed by the start of 2014.

If you need any further assistance or would like to discuss any aspect of your request, please contact the return address above that processed your request. You may send an e-mail to efoia@useg.mil or you may contact our FOIA Public Liaison, Mrs. Amanda Ackerson, at (202) 475-3522 in the same manner. Additionally, you have a right to right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Contacting the FOIA Public Liaison or OGIS does not stop the 90-day appeal clock and is not a substitute for filing an administrative appeal. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records

5720

Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the response to this request, you have the right to appeal. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter, to: Commandant (CG-611), ATTN: FOIA APPEALS, 2703 Martin Luther King Ave STOP 7710, Washington DC, 20593-7710. following the procedures outlined in the DHS regulations at 6 C.F.R. § 5.9. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia.

If you need to contact our office concerning this request, please call (202) 475-3460 and refer to FOIA request 2018-CGFO-01591.

Sincerely,

James D. Roppel
U. S. Coast Guard

2